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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/537,935	CHOI ET AL.	
	Examiner	Art Unit	
	FARIBORZ KHOSHNOODI	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 January 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17 and 19-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17 and 19-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 June 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 17, 2008 has been entered.

Specification

2. The specification is objected to as fails to provide proper antecedent basis for the term '*computer-readable recording medium*' which appears in claim 31. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Appropriate corrections required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 30 and 31 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, as they do not fall under any of the statutory classes of inventions.

4. Claim 30 is non-statutory because it fails to be claimed in conjunction with hardware. The components (units) claimed, "receiving unit, successful bid making unit, a storing unit, a search and a search request receiving unit performing unit" is interpreted as being implemented by software (Specification [83]). Software per se, does not fall within a statutory category of patentability. Appropriate correction required.

5. Claim 31 recited, *"computer-readable recording medium "*. A claimed signal is clearly not a *"process"* under 35 U.S.C. 101 because the specification, in paragraph 119 of the Applicant's instant US Patent Publication recites: a computer-readable media include magnetic media such as hard disks, floppy disks, and magnetic tape; optical media such as CD-ROM disks; magneto-optical media such as floptical disks; and hardware devices that are specially configured to store and perform program instructions, such as read-only memory devices (ROM) and random access memory (RAM). The media may also be a transmission medium such as optical or metallic lines, wave guides, etc. including a carrier wave transmitting signals specifying the program instructions, data structures, etc. A claimed signal has no physical structure, does not itself perform any useful, concrete and tangible result and, thus, does not fit within the definition of a machine. A claimed signal is not matter, but a form of energy, and therefore is not a composition of matter. And lastly, because a signal lacks physical substance and is not a residual class of product, a claimed signal does not fall within the definitions of manufacture. Therefore, a claimed signal does not constitute patentable subject matter as set fourth in 35 U.S.C.101. As such, the claim is not limited to statutory subject matter and therefore non-statutory. Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-8, 16, 20 and 31 are rejected under 35 U.S.C. 103(a) is unpatentable over Singh et al. United States Patent Publication No. 2002/0165849 A1 in view of Goino United States Patent Publication No. 2001/0056396A1 and further in view of Boyd et al. United States Patent Publication No. 2004/0193489 A1.

As per claim 1:

Singh et al. teach a method comprising: **determined in consideration of at least one of a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword** *(Par. 234). This process would be able to gather all search listing and sort them from highest to lowest amount and assign a rank based on highest and lowest bit amount received)*; **and tender conditions including the keyword and a predetermined search listing display method for a search listing from each of a plurality network information providers determining successful bids of the network information providers for the keyword based on the tender conditions and**

the bidding prices, *(See Singh et al. Par. 234). This process would be able to gather all search listing and sort them from highest to lowest amount and assign a rank based on highest and lowest bit amount received)*; **associating at least one portion of the search listing with the keyword and the predetermined search listing display methods, to maintain a database including a plurality of search listings** *(Par. 17 lines 5-10)*; **receiving a search request from a searcher** *(Par. 17 lines 10-12)*; **identifying search listings associated with keywords corresponding to the search request** *(Par. 10 lines 5-7)*; **and arranging said at least one portion of the search listings according to the predetermined search listing display methods of the successful bids when arranging the identified search listings** *(Par. 196 lines 8-19)*; **generating the search result list including the arranged at least one portion of the search listings** *(See Singh et al. Par. 15).*

Singh et al. do not explicitly disclose for the determining the lowest limit bidding price. However Goino teaches a method, **determining the lowest limit bidding price for each keyword** *(See Goino Par. 108). The minimum price is the accepted lowest bid);* **the bidding prices being higher than or equal to the lowest limit bidding price** *(See Goino Par. 150 and 151).*

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Singh et al. to have the determining the lowest limit bidding price. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of Singh et al. and Goino before him/her, to modify the method of Singh et al. to include the determining the lowest limit

bidding price of Goino, since it is suggested by Goino such that, a bid acceptance procedure which include the bidding information and select easily the successful bidder *(See Goino Par. 19)*.

Singh et al. as modified do not explicitly disclose for the selling a keyword good associated through tender. However Boyd et al. teach a method, **to sell a keyword good associated with the predetermined search listing display method through a tender** *(See Boyd et al. Par. 225)*.

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Singh et al. and Giono to have the step of selling the keywords. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of combination of Singh et al. and Giono and Boyd et al. before him/her, to modify the method of combination of Singh et al. and Giono to include the step of selling the keywords of Boyd et al., since it is suggested by Boyd et al. such that, the highest bidder will win the contest if the auction's time expires and make it easier not to rerun auction again *(See Boyd et al. Par. 236)*.

As per claim 2:

Singh et al. as modified teaches a method**, wherein the predetermined search listing display methods are specified by a form of display and ranking of the search listings** *(See Singh et al. Par. 248)*.

As per claim 3:

Singh et al. as modified teach a method**, wherein said at least one portion of the search listings is randomly arranged in a placement zone specified by the search listing display method when arranging said at least one portion of the search listings** *(See Singh et al. Par. 248)*.

As per claim 4:

Singh et al. as modified do not explicitly disclose for the predetermined keywords are sold. However Giono teaches a method**, wherein predetermined keywords are sold during only a predetermined period of time through the tender** *(see Boyd et al. Par. 236)*.

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Singh et al. and Giono to have the predetermined keywords are sold. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of combination of Singh et al. and Giono and Boyd et al. before him/her, to modify the method of combination of Singh et al. and Giono to include the predetermined keywords are sold of Boyd et al., since it is suggested by Boyd et al. such that, the highest bidder will win the contest if the auction's time expires and make it easier not to rerun auction again *(See Boyd et al. Par. 236)*.

As per claim 5:

Singh et al. as modified do not explicitly disclose for the step of selling the keywords. However Giono teaches a method, **wherein the step of selling the keywords through the tender is individually performed for each of said at least one portion of the search listings** *(See Boyd et al. Par. 225)*.

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Singh et al. and Giono to have the step of selling the keywords. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of combination of Singh et al. and Giono and Boyd et al. before him/her, to modify the method of combination of Singh et al. and Giono to include the step of selling the keywords of Boyd et al., since it is suggested by Boyd et al. such that, the highest bidder will win the contest if the auction's time expires and make it easier not to rerun auction again *(See Boyd et al. Par. 236)*.

As per claim 6:

Singh et al. as modified teach a method, **wherein remaining search listings except said at least one portion of the search listings are arranged independent of the predetermined search listing display method** *(See Singh et al. Par. 248)*.

As per claim 7:

Singh et al. as modified does not explicitly disclose for the keywords sold through the tender are premium keywords determined by a predetermined criterion. However, Boyd et al teach a method, **wherein the keywords sold through the tender are premium keywords**

determined by a predetermined criterion *(See Boyd et al. Par. 236 lines 5-7).*

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Singh et al. and Giono to have the keywords sold through the tender are premium keywords determined by a predetermined criterion. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of combination of Singh et al. and Giono and Boyd et al. before him/her, to modify the method of combination of Singh et al. and Giono to include the keywords sold through the tender are premium keywords determined by a predetermined criterion of Boyd et al., since it is suggested by Boyd et al. such that, the highest bidder will win the contest if the auction's time expires and make it easier not to rerun auction again *(See Boyd et al. Par. 236 lines 9-15).*

As per claim 8:

Singh et al. as modified do not explicitly disclose for the tender conditions selectively further include information on network information providers. However, Boyd et al teach a method, **wherein the tender conditions selectively further include information on network information providers or a predetermined display period of time** *(See Boyd et al. Par. 238 lines 7-11).*

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Singh et al. and Giono to have the tender conditions selectively further include information on network information providers. This

modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of combination of Singh et al. and Giono and Boyd et al. before him/her, to modify the method of combination of Singh et al. and Giono to include the tender conditions selectively further include information on network information providers of Boyd et al., since it is suggested by Boyd et al. such that, the highest bidder will win the contest if the auction's time expires and make it easier not to rerun auction again *(See Boyd et al. Par. 236 lines 9-15).*

As per claim 16:

Singh et al. as modified do not explicitly disclose for the reselling the keywords includes one of a first-come first-served system, a re-tender system and a next order bidding price selection system. However, Boyd et al teach a method, **further comprising the step of reselling keywords if the successful bid is regarded as an unsuccessful bid, wherein the step of reselling the keywords includes one of a first-come first-served system, a re-tender system and a next order bidding price selection system** *(See Boyd et al. Par. 236 lines 9-15).*

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Singh et al. and Giono to have the keywords includes one of a first-come first-served system, a re-tender system and a next order bidding price selection system. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of combination of Singh et al. and Giono and Boyd et al. before him/her, to modify the method of

combination of Singh et al. and Giono to include the keywords includes one of a first-come first-served system, a re-tender system and a next order bidding price selection system of Boyd et al., since it is suggested by Boyd et al. such that, the highest bidder will win the contest if the auction's time expires and make it easier not to rerun auction again *(See Boyd et al. Par. 236 lines 9-15)*

As per claim 20:

Singh et al. as modified do not explicitly disclose for the reselling the highest bidding price or the bidding price list is not opened during a predetermined period of time before a tender period of time expires. However, Boyd et al teach a method, **wherein the highest bidding price or the bidding price list is not opened during a predetermined period of time before a tender period of time expires** *(See Boyd et al. Par. 236 lines 5-7))*.

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Singh et al. and Giono to have the highest bidding price or the bidding price list is not opened during a predetermined period of time before a tender period of time expires. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of combination of Singh et al. and Giono and Boyd et al. before him/her, to modify the method of combination of Singh et al. and Giono to include the highest bidding price or the bidding price list is not opened during a predetermined period of time before a tender period of time expires of Boyd et al., since it is suggested by Boyd et al. such that, the highest bidder will win the contest if the auction's time expires and make it easier not to rerun auction again *(See Boyd et al. Par. 236 lines 9-15)*.

As per claim 31:

Goino as modified teaches a computer-readable recording medium in which **a program for implementing a method according to claims 1 in a computer is recorded** *(See Singh et al. Par. 190)*.

8. Claims 9-15, 17, 19, and 21-23, and 26-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Singh et al. United States Patent Publication No. 2002/0166849 A1 in view of Goino United States Patent Publication No. 2001/0056396 A1.

As per claim 9:

Singh et al. teach a method comprising: **maintaining a plurality of search listings including URLs associated with network information providers** *(Par. 196 and 248). This would provide a list of hypertext link to the user and transmit the list in form of web page and display that on browser of user computer)*; **determined in consideration of at least one of a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword** *(Par. 234). This process would be able to gather all search listing and sort them from highest to lowest amount and assign a rank based on highest and lowest bit amount received)*; **receiving keywords associated with the search listings and bidding prices associated with the keywords from the network information providers** *(Par. 15 and 234). The advertiser can select and bid based on the search keywords which is most relevant to web site offerings)*; **and generating**

a search result list including at least a portion of the plurality of search listings in response to the search request, wherein at least one portion of the plurality of search listings is arranged in a predetermined search listing placement position *(Par. 15 lines 12-19). The search result would be generated by the search engine based on search keywords)* **.**

Singh et al. do not explicitly disclose for the tender period of time expires, wherein the tender period of time is a period of time in which the bidding prices are accepted and lowest limit bidding price. However Goino teaches a method, **determining the lowest limit bidding price for each keyword** *(See Goino Par. 108). The minimum price is the accepted lowest bid);* **the bidding prices being higher than or equal to the lowest limit bidding price** *(See Goino Par. 150 and 151)***; selecting a successful bidder among a plurality of network information providers associated with the keywords according to a predetermined criterion associated with the bidding prices after a tender period of time expires, wherein the tender period of time is a period of time in which the bidding prices are accepted** *(See Goino Par. 263 through 268). During the bidding process when the limited time expires then it determine and check the bid-off self selection set. If it is set then it display a list of bidder on screen and can select the trading partner and other successful bidder which is selected by user would be transmitted to server through internet. If the bid-off self selection is not set then, a bidder with most meets offered requirements is bidden off as a trading partner).*

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Singh et al. to have the tender period of time expires, wherein the tender period of time is a period of time in which the bidding prices are accepted and lowest limit bidding price. This modification would have been obvious because a person having

ordinary skill in the art, at the time the invention was made, having the teachings of Singh et al. and Goino before him/her, to modify the method of Singh et al. to include the tender period of time expires, wherein the tender period of time is a period of time in which the bidding prices are accepted and lowest limit bidding price of Goino, since it is suggested by Goino such that, a bid acceptance procedure which include the bidding information and select easily the successful bidder *(See Goino Par. 19)*.

As per claim 10:

Singh et al. as modified teach a method**, wherein the search listing placement position is determined before the bidding prices are received from the network information providers** *(See Singh et al. Par. 15)*.

As per claim 11:

Singh et al. as modified teach a method**, further comprising the step of receiving information on a predetermined display period of time from the network information providers, wherein when the network information providers are selected as a successful bidder, search listings associated with the network information providers are arranged in the predetermined search listing placement position during the predetermined display period of time, and a position of the arranged search listings is not changed** *(See Singh et al. Par. 15 and Par. 221)*.

As per claim 12:

Singh et al. as modified teach a method**, wherein the step of selecting the successful bidder includes selecting a plurality of the network information providers as successful bidders, wherein said at least one portion of the search listings is arranged according to rankings determined by the bidding prices of the successful bidders within a placement zone specified by the search listing display methods** *(See Singh et al. Par. 248).*

As per claim 13:

Singh et al. as modified teach a method, further comprising the steps of: **offering instant purchase prices to network information providers** *(See Singh et al. Par. 157 lines 2-8)***; and instantly selecting the network information providers as successful bidders if the instant purchase prices are received as the bidding prices from network information providers** *(See Singh et al. Par. 240).*

As per claim 14:

Singh et al. as modified teach a method**, wherein the instant purchase prices are determined in consideration of past successful bid prices of the keywords** *(See Singh et al. Par. 248).*

As per claim 15:

Singh et al. as modified teach a method**, a case where a purchase rejection intention is received from the successful bidder, a case where the successful bidder does not purchase a successful bidden keyword within a predetermined period of time, and a case where a**

purchase rejection intention is once again received after the predetermined period of time expires *(Par. 64 through Par. 69))*.

As per claim 17:

Singh et al. as modified teach a method**, wherein if a plurality of same bidding prices are received, the successful bidder is selected in consideration of at least one of a tender sequence, a display period of time, an actual advertisement use result, a credit of network information providers** *(See Singh et al. Par. 225)*.

As per claim 19:

Singh et al. as modified teach a method**, further comprising the step of opening the highest bidding price or a bidding price list** *(See Singh et al. Par. 199)*.

As per claim 21:

Singh et al. as modified teach a method**, further comprising the step of offering keywords similar to keywords received from the network information providers to the network information providers** *(See Singh et al. Par. 9)*.

As per claim 22:

Singh et al. as modified teach a method**, wherein the step of receiving the bidding prices includes the step of limiting the number of receipt of bidding prices from same network information providers to the predetermined number of times or demanding an**

additional price if bidding prices are received above the predetermined number of times *(See Singh et al. Par. 240 lines 18-21 and Goino Par. 108).*

As per claim 23:

Singh et al. as modified teach a method**, further comprising the step of offering a result for the search request associated with the keywords to the successful bidder, wherein the result for the search request includes at least one of the number of exposures, the number of clicks and a click rate** *(See Singh et al. Par 246 lines 3-16)).*

As per claim 26:

Singh et al. teach a method comprising: **determined in consideration of at least one of a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword** *(Par. 234). This process would be able to gather all search listing and sort them from highest to lowest amount and assign a rank based on highest and lowest bit amount received)***; receiving web page titles** *((Par. 15). The search engine provides the name (title) of companies or businesses that offering the products)***, web page descriptions, image files, keywords** *((Par. 6). The web page can contains any one of a variety of formatting like multimedia include graphics, audio, and moving picture, HTM),* **and bidding prices associated with web pages of the network information providers from network information providers** *(Par. 15 and 234). The advertiser can select and bid based on the search keywords which is most relevant to web site offerings)***; generating search listings in real time substantially by combining the**

web page titles, the web page descriptions and the image files, and offering the generated search listings to the network information providers *(Par. 6 and 15)*; **receiving confirmation inputs of the network information providers for the generated search listings** *(Par. 15)*; **selecting a successful bidder among a plurality of network information providers that provided confirmation inputs, associated wherein the successful bidder is selected according to a predetermined criterion associated with the bidding prices** *(Par. 15)*; **associating the keywords with the search listings of the successful bidders** *(Par. 17 lines 5-10)*; **receiving a search request from the searcher** *(Par. 17 lines 10-12))*; **identifying search listings associated with a keyword corresponding to the search request** *(Par. 10 lines 5-7))*; **and offering the identified search listings to the searcher by arranging the identified search listings in a predetermined position of a search result web page** *(Par. 196 lines 8-19)*.

Singh et al. do not explicitly disclose for the determining the lowest limit bidding price. However Goino teaches a method, **determining the lowest limit bidding price for each keyword** *(See Goino Par. 108). The minimum price is the accepted lowest bid);* **the bidding prices being higher than or equal to the lowest limit bidding price** *(See Goino Par. 150 and 151)*.

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Singh et al. to have the determining the lowest limit bidding price. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of Singh et al. and Goino before him/her, to modify the method of Singh et al. to include the determining the lowest limit

bidding price of Goino, since it is suggested by Goino such that, a bid acceptance procedure which include the bidding information and select easily the successful bidder *(See Goino Par. 19).*

As per claim 27:

Singh et al. as modified teach a method, further comprising the steps of: **receiving a correction request for one or more of web page titles, web page descriptions and image files from the network information providers** *(See Singh et al. Par. 6 and 22). The web page can contains any one of a variety of formatting like multimedia include graphics, audio, and moving picture, HTM)*; **and correcting the search listings in real time substantially in response to the correction request and offering the corrected search listings to the network information providers** *(See Singh et al. Par. 160).*

As per claim 28:

Singh et al. teaches a method comprising: **determined in consideration of at least one of a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword** *(See Singh et al. Par. 234). This process would be able to gather all search listing and sort them from highest to lowest amount and assign a rank based on highest and lowest bit amount received)*; **receiving keywords and bidding prices from network information providers** *(See Singh et al. Par. 15 and 234). The advertiser can select and bid based on the search keywords which is most relevant to web site offerings)*; **selecting a successful bidder among a plurality of**

network information providers associated with the keywords , wherein the successful bidder is selected according to a predetermined criterion associated with the bidding prices *(See Singh et al. Par. 15)*; **receiving a web page title, a web page description and an image file associated with a web page of the successful bidder from the successful bidder** *(See Singh et al. Par. 6 and 22). The web page can contains any one of a variety of formatting like multimedia include graphics, audio, and moving picture, HTM)*; **generating a search listing in real time substantially by combining the web page title, the web page description and the image file, and offering the generated search listings to the successful bidder** *(See Singh et al. Par. 6 and 22 and 160). The web page can contains any one of a variety of formatting like multimedia include graphics, audio, and moving picture, HTM)*; **receiving a confirmation input of the successful bidder for the generated search listing** *(See Singh et al. Par. 15)*; **associating the keywords with a plurality of the confirmed search listings** *(See Singh et al. Par. 17)*; **receiving a search request from the searcher** *(Par. 17 lines 10-12)*; **identifying search listings associated with a keyword corresponding to the search request** *(See Singh et al. Par. 10)*; **and offering the identified search listings to the searcher by arranging the identified search listings in a predetermined position of a search result web page** *(See Singh et al. Par. 196 lines 8-19).*

Singh et al. do not explicitly disclose for the determining the lowest limit bidding price. However Goino teaches a method, **determining the lowest limit bidding price for each keyword** *(See Goino Par. 108). The minimum price is the accepted lowest bid);* **the**

bidding prices being higher than or equal to the lowest limit bidding price *(See Goino Par. 150 and 151).*

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Singh et al. to have the determining the lowest limit bidding price. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of Singh et al. and Goino before him/her, to modify the method of Singh et al. to include the determining the lowest limit bidding price of Goino, since it is suggested by Goino such that, a bid acceptance procedure which include the bidding information and select easily the successful bidder *(See Goino Par. 19).*

As per claim 29:

Singh et al. as modified teaches a method further comprising the steps of: **receiving a correction request for one or more of a web page title, a web page description and an image file from the successful bidder** *(See Singh et al. Par. 6 and 22). The web page can contains any one of a variety of formatting like multimedia include graphics, audio, and moving picture, HTM)*; **and correcting the search listings in real time substantially in response to the correction request and offering the corrected search listings to the successful bidder** *(See Singh et al. Par. 160).*

As per claim 30:

Singh et al. teaches a method comprising: **a tender conditions receiving unit for receiving tender conditions including keywords and search listing display methods, being determined for each keyword and determined in consideration of at least one of a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword** *(See Singh et al. Par. 234). This process would be able to gather all search listing and sort them from highest to lowest amount and assign a rank based on highest and lowest bit amount received)*; **a successful bid making unit for making a successful bid for the keywords based on the tender conditions and the bidding prices** *(See Singh et al. Par. 17 lines 5-10)*; **a storing unit including a plurality of search listings** *(Par. 10 lines 5-7)*; **a search performing unit for: associating the plurality of the search listings with the successfully bidden keywords and search listing display methods** *(See Singh et al. Par. 248)*; **identifying search listings having the keywords corresponding to the search request in response to a search request received from a searcher** *(See Singh et al. Par. 10 lines 5-7)*; **and arranging at least one portion of the search listings according to the search listing display methods** *(See Singh et al. Par. 248)*; **and a search request receiving unit for receiving a search request from a searcher via a communication network** *(See Singh et al. Par. 248).*

Singh et al. do not explicitly disclose for the determining the lowest limit bidding price. However Goino teaches a method, **determining the lowest limit bidding price for each keyword** *(See Goino Par. 108). The minimum price is the accepted lowest bid);* **the**

bidding prices being higher than or equal to the lowest limit bidding price *(See Goino Par. 150 and 151).*

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Singh et al. to have the determining the lowest limit bidding price. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of Singh et al. and Goino before him/her, to modify the method of Singh et al. to include the determining the lowest limit bidding price of Goino, since it is suggested by Goino such that, a bid acceptance procedure which include the bidding information and select easily the successful bidder *(See Goino Par. 19).*

9. Claims 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Singh et al. United States Patent Publication No.2002/0165849 A1 in view of Goino United States Patent Publication No. 2001/0056396A1 as applied to claims 9-15, 17, 19, and 21-30and further in view of Harrison, JR. et al. United States Patent Publication No. 2001/0039524 A1.

As per claim 24:

Singh et al. do not explicitly disclose for the reselling the step of maintaining search listings including URLs associated with network information providers and image files associated with the network information providers. However, Harrison, JR. et al. teach a method, **wherein the step of maintaining the plurality of search listings includes the step of maintaining search listings including URLs associated with network information providers**

and image files associated with the network information providers *(See Harrison, JR. et al. Par 14))*.

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Singh et al. and Giono to have the step of maintaining search listings including URLs associated with network information providers and image files associated with the network information providers. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of combination of Singh et al. and Giono and Harrison, JR. et al. before him/her, to modify the method of combination of Singh et al. and Giono to include the step of maintaining search listings including URLs associated with network information providers and image files associated with the network information providers of Harrison, JR. et al., since it is suggested by Harrison, JR. et al. such that, an automated computer network-based will provide a method which the internet sellers can easily perform their sell/buy transaction *(See Harrison, JR. et al. Par. 17)*.

As per claim 25:

Singh et al. do not explicitly disclose for the reselling the search listings arranged in the predetermined search listing placement position is arranged with the image files included. However, Harrison, JR. et al. teach a method, **wherein at least one portion of the search listings arranged in the predetermined search listing placement position is arranged with the image files included** *(See Harrison, JR. et al. Par. 151)*.

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Singh et al. and Giono to have the search listings arranged in the predetermined search listing placement position is arranged with the image files included. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of combination of Singh et al. and Giono and Harrison, JR. et al. before him/her, to modify the method of combination of Singh et al. and Giono to include the search listings arranged in the predetermined search listing placement position is arranged with the image files included of Harrison, JR. et al., since it is suggested by Harrison, JR. et al. such that, an automated computer network-based will provide a method which the internet sellers can easily perform their sell/buy transaction *(See Harrison, JR. et al. Par. 17)*.

Response to Remark

10. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fariborz Khoshnoodi whose telephone number is 571-270-1005. The examiner can normally be reached on M-TH every other F 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Fariborz Khoshnoodi/
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/T. M./

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